



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Mark Morodomi, Esq.
The Regents of the University of California
Office of the General Counsel
1111 Franklin Street
8th Floor
Oakland, CA 94607

JUN -2 2016


RE: MUR 6836
University of California, Los Angeles

Dear Mr. Morodomi:

On June 10, 2014, the Federal Election Commission notified the University of California, Los Angeles ("UCLA") of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). On May 24, 2016, the Commission found, on the basis of the information in the complaint and information provided by you that there is no reason to believe UCLA violated the Act or Commission regulations. Accordingly, the Commission closed its file in this matter.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66,132 (Dec. 14, 2009). The Factual and Legal Analysis, which explains the Commission's finding, is enclosed for your information.

If you have any questions, please contact Elena Paoli, the attorney assigned to this matter, at (202) 694-1548.

Sincerely,

Jeff S. Jordan
Assistant General Counsel
Complaints Examination &
Legal Administration

Enclosure
Factual and Legal Analysis

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: University of California, Los Angeles

MUR 6836

I. INTRODUCTION

This matter was generated by a complaint alleging violations of the Federal Election Campaign Act of 1971, as amended (the "Act") and Commission regulations by Marianne Williamson for Congress and Kevin R. Heneghan as treasurer ("Committee"), the Progressive Leaders for Democratic Action ("PLDA"), Americans for Democratic Action ("ADA"), and the University of California, Los Angeles ("UCLA"). It was scored as a low-rated matter under the Enforcement Priority System, by which the Commission uses formal scoring criteria as a basis to allocate its resources and decide which matters to pursue.

A. Facts

In early May 2014, PLDA, a student organization at UCLA, posted on its Facebook page that it endorsed Williamson for Congress and encouraged UCLA students to volunteer to help the campaign. Compl. at 2-3. PLDA also posted photographs of students wearing Williamson campaign t-shirts and news about an off-campus event featuring her and musician Alanis Morissette. *Id.*

On May 29, 2014, PLDA sponsored an event for Williamson on campus. Compl. at 1-3. PLDA publicized the event by posting a flyer on its Facebook page. Compl. at 3. The flyer includes a disclaimer at the bottom that states, "Paid for by Marianne Williamson for Congress." See Compl. Appendix A. The event included "an elaborate fruit, cheese and refreshment display." Compl. at 1.

1 In addition to alleging that UCLA and PLDA made prohibited contributions,
2 Complainant alleges that they violated the Act by promoting and endorsing Williamson, and that
3 PLDA is a “front” for her campaign.¹ *Id.* at 3-4. Furthermore, the Complainant alleges that
4 PLDA is hosted on the same nationbuilder.com platform as the Los Angeles Chapter of ADA,
5 which supports the theory that PLDA was established in April 2014 in association with
6 supporters of the Committee in order to make it appear as though a UCLA student association
7 supported the campaign. *Id.*

8 UCLA responds that it did not host the May 29 event; rather PLDA, an independent,
9 registered student organization, hosted it. UCLA Resp. at 1, 3. UCLA further states that it
10 charged PLDA the same rate for the use of its facilities that it would have charged any other
11 student group, and that PLDA received no university funding. *Id.* at 1, 3 and 4. Specifically,
12 UCLA invoiced PLDA for event costs totaling \$68, which purportedly covered event planning
13 and personnel. *Id.* at 5 and UCLA Resp., Exh. H. (payment receipt from PLDA).²

14 **B. Legal Analysis**

15 In 2014, a person was limited to making \$2,600 in contributions, including in-kind
16 contributions, per election to any candidate. 52 U.S.C. § 30116(a)(1)(A). The Act prohibits a
17 corporation from making contributions to a federal political committee. 52 U.S.C. § 30118. The
18 term “expenditure” is defined by the Act as “any purchase, payment ... or anything of value

¹ The Complaint also alleges that UCLA's actions have jeopardized its tax status as a 501(c)(3) organization. Compl. at 4. We do not address this allegation as it is not within the FEC's jurisdiction.

² Publicly available information indicates that the room where the Williamson event took place, the Global Viewpoint Lounge in the Ackerman Union on UCLA's campus, is available at no cost to student groups. See http://legacy.asucla.ucla.edu/eventservices/stu_venues.asp?ref=prices.

1 made by any person for the purpose of influencing any election for Federal office ...” 52 U.S.C.
2 § 30101(9)(A).

3 An incorporated or unincorporated nonprofit, tax exempt, educational institution, such as
4 a university, “may make its facilities available to any candidate or political committee in the
5 ordinary course of business and at the usual and normal charge.” 11 C.F.R. §§ 110.12(a),
6 114.4(b)(7)(i). Such activity does not constitute a contribution or expenditure under the Act. *See*
7 First Gen Counsel’s Rpt. at 13, MURs 5550 and 5566 (Michael Moore) (Commission approved
8 recommendations, May 19, 2006).

9 The available information in the record indicates that Respondent UCLA did not make a
10 contribution because it made its facilities available to PLDA in the ordinary course of business at
11 the usual and normal charge, which was paid.³ 11 C.F.R. §§ 110.12(a), 114.4(b)(7)(i).
12 Therefore, the Commission finds no reason to believe that the University of California, Los
13 Angeles violated the Act or Commission regulations.

³ UCLA states that it is one of ten campuses of the Regents of the University of California, which is a state “constitutional corporation.” UCLA Resp. at 5.